

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below under my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**PROMOTER AND REGULATOR SEQUENCES Ha ds10 G1: A GENE LEA OF
SUNFLOWER EXPRESSED EXCLUSIVELY IN SEEDS FROM THE MATURATION
PHASE**

the Specification of which

- ☐ is attached hereto
☒ was filed on July 24, 2000
 as Application Serial No. 09/600,848
 and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified Specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

<u>APPLICATION</u> <u>NUMBER</u>	<u>COUNTRY</u>	<u>PRIOR FOREIGN FILED APPLICATION(S)</u> <u>(MONTH/DAY/YYYY)</u>	<u>PRIORITY</u> <u>CLAIMED</u>
P 9800122	SPAIN	23 January 1998	YES

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER(S)

FILING DATE (MM/DD/YYYY)

002280-84800960

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(a) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application..

U.S. Parent <u>Application No.</u>	PCT Parent <u>Number</u>	Parent Filing <u>(MM/DD/YYYY)</u>	Parent Patent <u>Number (if applicable)</u>
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The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from Ungria Patentes y Marcas, S.A. as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

② I hereby appoint as my attorneys or agents the following persons: Jack Matalon (Attorney, Registration No. 22,441); Stefan J. Klauber (Attorney, Registration No. 22,604); David A. Jackson (Attorney, Registration No. 26,742); Michael D. Davis (Attorney, Registration No. 39,161); Allan H. Fried (Attorney, Registration No. 31,253); Christine E. Dietzel (Agent, Registration No. 37,309); Donald J. Cox (Attorney, Registration No. 37,804); and Michael A. Yamin (Agent, Registration No. 44,414), said attorneys or agents with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please address all correspondence regarding this application to:

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411 HACKENSACK AVENUE
HACKENSACK, NEW JERSEY 07601

Direct all telephone calls to David A. Jackson at (201) 487-5800.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these

09600848-082200

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST OR SOLE INVENTOR: PRIETO-DAPENA, María Pilar

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SIGNATURE OF INVENTOR Pilar Prieto Dapena

DATE 26-7-00

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Spain

SIGNATURE OF INVENTOR Juan Jordano Fraga

DATE 26-7-00

09600848-082200

Applicant or Patentee: María Pilar PRIETO-DAPENA, María Concepción ALMOGUERA ANTOLINEZ and
Juán Bautista JORDANO FRAGA

Application or Patent No.: 09/600,848

Filed or Issued: July 24, 2000

For: **PROMOTER AND REGULATOR SEQUENCES Ha ds10 G1: A GENE LEA OF
SUNFLOWER EXPRESSED EXCLUSIVELY IN SEEDS FROM THE MATURATION
PHASE**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§ 1.9(f) AND 1.27)) - NONPROFIT ORGANIZATION**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN 1.- CONSEJO SUPERIOR DE INVESTIGACIONES CIENTÍFICAS

ADDRESS OF CONCERN 1.- Serrano, 117
E-28006 MADRID
Spain

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12, and reproduced in 37 C.F.R. § 1.9.(d), for purposes of paying reduced fees under Sections 41(a) and 41(b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average, over the previous fiscal year of the concern, of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled **PROMOTER AND REGULATOR SEQUENCES Ha ds10 G1: A GENE LEA OF SUNFLOWER EXPRESSED EXCLUSIVELY IN SEEDS FROM THE MATURATION PHASE**

by inventor(s) María Pilar PRIETO-DAPENA, María Concepción ALMOGUERA ANTOLINEZ and Juán Bautista JORDANO FRAGA
described in

- ☐ the specification filed herewith
☒ Application No. 09/600,848 filed July 24, 2000
☐ Patent No. _____, issued

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below, * and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c), or by any concern that would not qualify as either a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

* NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27.)

NAME

ADDRESS

☐ individual ☐ small business concern ☐ nonprofit organization

NAME

ADDRESS

☐ individual ☐ small business concern ☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee and any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b).)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING OJEDA GARCÍA, Pedro

TITLE OF PERSON OTHER THAN OWNER Service chief

ADDRESS OF PERSON SIGNING Serrano, 113

SIGNATURE Pedro Ojeda García

DATE 27-07-00

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